

ACTION WHA-00

INFO	LOG-00	AID-00	ACQ-00	CIAE-00	DODE-00	SRPP-00	EB-00
	VC-00	TEDE-00	INR-00	IO-00	L-00	VCE-00	AC-00
	NSAE-00	OIC-00	OMB-00	PA-00	PM-00	PRS-00	ACE-00
	P-00	SP-00	SS-00	STR-00	TRSE-00	T-00	USIE-00
	PMB-00	PRM-00	DRL-00	G-00	SAS-00	/000W	

-----190131 052233Z /62

P 051854Z MAY 04
 FM AMEMBASSY CARACAS
 TO SECSTATE WASHDC PRIORITY 6104
 INFO AMEMBASSY BOGOTA PRIORITY
 AMEMBASSY BRASILIA PRIORITY
 AMEMBASSY LA PAZ PRIORITY
 AMEMBASSY LIMA PRIORITY
 AMEMBASSY MADRID PRIORITY
 AMEMBASSY MEXICO PRIORITY
 AMEMBASSY QUITO PRIORITY
 AMEMBASSY SANTIAGO PRIORITY
 NSC WASHDC PRIORITY
 USCINCSO MIAMI FL PRIORITY

RELEASED IN PART
 B1, 1.4(D)

C O N F I D E N T I A L CARACAS 001510

E.O. 12958: DECL: 04/20/2014
 TAGS: PREL, PHUM, VE
 SUBJECT: PRO-CHAVEZ GROUP PLANS LEGAL ACTION AGAINST
 AMBASSADOR

Classified By: AMB. CHARLES S. SHAPIRO FOR REASONS 1.4 (d)

 SUMMARY

1. (C) The pro-Chavez human rights group ASOVIC delivered a letter to the Director General of the Office of the Foreign Minister Demir Porras declaring its intention to begin legal action against the Ambassador for alleged involvement in the April 11, 2002 events. The group cites alleged training of various Venezuelan police forces, recordings of police radio transmissions, and the alleged presence of U.S. ships in Venezuelan water during the April 2002 events. Paradoxically, the letter says ASOVIC will join in the law suit against President Chavez currently in the International Court of Justice in the Hague, as an interested party.

B1

ASOVIC joins the chorus of pro-Chavez voices that

UNITED STATES DEPARTMENT OF STATE
 REVIEW AUTHORITY: ALAN H FLANIGAN
 CLASSIFICATION: CONFIDENTIAL REASON: 1.4(D)
 DECLASSIFY AFTER: 5 MAY 2024
 DATE/CASE ID: 18 JUN 2007 200504156

UNCLASSIFIED

UNCLASSIFIED

insist on repeating allegations, despite their being refuted by the OIG, of Embassy and USG direct involvement in the April 2002 events. END SUMMARY.

ASOVIC

2. (C) On April 11, the human rights group ASOVIC delivered a letter to the Director General of the Office of the Foreign Minister Demir Porras communicating its intention to pursue legal "actions" against the Ambassador. ASOVIC alleges that the Ambassador conspired in the deaths and injuries incurred by the victims of the April 11, 2002 events. ASOVIC is the National Association of Victims of the Coup d'etat, a pro-Chavez human rights group formed after the restoration of Chavez to power in April, 2003. The group blames the Metropolitan Police (PM) for the killings on April 11, and claims that most of the victims were Chavez supporters.

B1

Suit against the Ambassador?

3. (U) In the letter, the group says it is informing the MFA of the next international actions to be carried out against the Ambassador. ASOVIC asserts it has enough evidence to carry out legal actions in U.S. courts, and/or international courts. The only specific action referred to, however, is the intention to make itself a party to the suit that has been brought against President Hugo Chavez in the International Criminal Court in the Hague (using their accusations against the Ambassador to defend Chavez). The suit against Chavez has been brought by the human rights group VIVE, which PROVEA, the Vicariate on Human Rights, and the human right group COFAVIC, also criticized as politicized, for its association with the opposition.

4 (C) According to reports on the pro-GOV website aporrea.org, Porras told the representatives of ASOVIC that the social movements should act autonomously to support the GOV's international actions to show the world their version of what happened in April 2002.

B1

UNCLASSIFIED

UNCLASSIFIED

The evidence

5. (U) ASOVIC uses several standard Chavista accusations to support its case. The first piece of "proof" is alleged training courses in assault given to the PM Fenix Group, and the municipal police of Chacao and Baruta, two opposition controlled municipalities of greater Caracas. The second "proof" is alleged recordings from the Operations Control room of the PM on April 11, which supposedly make reference to the Ambassador (allegedly code named "Zeus 32 Americana"). The tapes purport to be communications among senior PM

officials and the officers in the field on April 11, 2002. Pro-GOV groups have claimed that the references to "Zeus 32 Americana" somehow prove U.S. involvement. Other "proof" is the alleged presence of U.S. ships in Venezuelan waters on April 11, 2002 and the presence of U.S. military personnel at Fuerte Tiuna the same day. ASOVIC calls these "Acts of State" which led directly to the deaths of their family members.

6. (U) ASOVIC also criticizes statements by NSC Advisor Condoleeza Rice, A/S for WHA, and the head of the Southern Command accusing the GOV of having totalitarian tendencies, and violating human rights. ASOVIC asserts the statements lay the groundwork for the coup, along with financing of pro-democracy (seen as pro-coup) NGOs. The association presents all this as a plot to overthrow the democratically elected constitutional government of Venezuela.

Groundless

7. (U) These allegations are part of the standard GOV propaganda line. They are baseless. A special report by the Office of the Inspector General (OIG) found:

-- The USG gave no training to the Chacao, Baruta or Metropolitan Caracas police forces.

-- "Zeus 32 Americana", if it exists, has nothing to do with the Ambassador or the Embassy.

-- "Nothing to indicate that the Department or Embassy Caracas planned, participated in, aided, or encouraged the

UNCLASSIFIED

UNCLASSIFIED

overthrow. The record shows that the Department and the embassy consistently discouraged the use of undemocratic and unconstitutional means to remove the democratically elected Chavez government. Similarly, OIG found that U.S. assistance programs in Venezuela, including those of National Endowment for Democracy (NED), were consistent with U.S. laws."

-- There were two US Coast Guard cutters engaged in anti-drug exercises with a Dutch cutter on April 11, 2002, and the Dutch cutter had a helicopter airborne. But these units were 100 miles off Orchila Island, not off the mainland coast of Venezuela. The exercise was known to Venezuelan officials, and had taken place in the past. They had nothing to do with the events going on in Venezuela.

-- US military personnel left Fuerte Tiuna on April 11, and returned on April 13, 2002 to try to find out who was in charge, and had nothing to do with the coup.

-- The OIG report finds "There was never any attempt to advise, support, or otherwise cooperate with, members of the opposition."

Metropolitan Police

8. (U) Much of ASOVIC's alleged evidence is related to the GOV view that the killings in April 2002 were the responsibility of the opposition controlled PM. The only people in jail for the events of April 11 today are eight PM officers in prison awaiting trial. A court absolved the pro-Chavez gunmen who fired weapons Puente Llaguno at the opposition marchers on April 11, 2002, and President Chavez declared them heroes of the Revolution in 2003. The court that is holding the PM officers is the court that ASOVIC says has accepted the alleged PM recordings from April 11, 2002, as a valid piece of evidence. The policemen are being charged under a Venezuelan law conspiracy provision. The opposition claims the film of the PM firing on Chavez supporters, which is one of the main pieces of evidence against the PM, actually shows them defending protesters from attacks by Chavez supporters.

COMMENT

9. (C) ASOVIC's evidence is specious and the threat of beginning a case against the Ambassador is part of the GOV's

UNCLASSIFIED

UNCLASSIFIED

campaign to use anti-U.S. rhetoric, and attacks on the Ambassador, as a distraction from the presidential recall referendum (septel). The GOV's charges are baseless and they know it, but the GOV repeats them, presumably in hopes of convincing voters that Chavez and the GOV are the defenders of Venezuelan sovereignty against an invented US threat. ASOVIC has no credibility whatsoever in independent human rights circles, and is 100 percent identified with the Bolivarian revolution. It is a stalking horse for the Bolivarian revolution.

SHAPIRO

NNNN

UNCLASSIFIED